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**FAX TRANSMISSION COVER LETTER**

TO: Commissioner for Patents  
Attn: Examiner K. Mullen  
Mail Stop Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

DATE: November 30, 2005  
FROM: J. Scot Wickhem  
OUR REF: 1201.1105101  
TELEPHONE: 612-677-9050

Total pages, including cover letter: 24

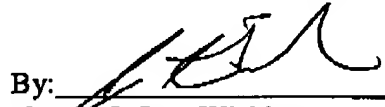
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Title of Document(s) Transmitted: AMENDMENT, AND TERMINAL DISCLAIMER TO  
OBVIATE DOUBLE PATENTING REJECTION OVER A  
PRIOR PATENT

Applicant: Gust H. Bardy et al.  
Serial No.: 09/940,283  
Filed: August 27, 2001  
Group Art Unit: 3766  
Our Ref. No.: 1201.1105101  
Confirmation No.: 8060  
Customer No.: 21691

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By:   
Name: J. Scot Wickhem  
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I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

  
Name: Kathleen L. Boekley

November 30, 2005  
Date

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## P A T E N T

UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gust H. Bardy et al. Confirmation No. 8060  
Serial No.: 09/940,283 Examiner: K. Mullen  
Filed: August 27, 2001 Group Art Unit: 3766  
Docket No.: 1201.1105101 Customer No. 21691  
For: DUCKBILL-SHAPED IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR  
CANISTER AND METHOD OF USE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

<b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (1)(8))</b>	
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_____ Kathleen L. Boekley Type or print name of person signing certification	
 Signature	November 30, 2005 Date

Dear Sir:

This paper is in response to the Office Action mailed September 6, 2005, with a shortened statutory period set to expire December 6, 2005. This paper is filed within the set period for response such that no extension of time is necessary.

Please amend the above-referenced application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 20 of this paper.